

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In The Matter of the Application of SAN DIEGO GAS & ELECTRIC COMPANY (U902E) for a Certificate of Public Convenience and Necessity for the Sycamore-Penasquitos 230 Kilovolt Transmission Line Project.

Application 14-04-011
(Filed April 7, 2014)

ORDER EXTENDING STATUTORY DEADLINE**Summary**

Public Utilities Code § 1701.5 provides that ratesetting proceedings shall be resolved within 18 months of the date the scoping memo is issued, unless the scoping memo sets a later date. The Commission may also, upon making a written determination that the deadline cannot be met, including findings as to the reason, issue an order extending the deadline for no more than 60 days.

1. Background

The Assigned Commissioner's Scoping Memo and Ruling issued on August 25, 2014, and the statutory deadline for resolving the proceeding is, therefore, currently February 24, 2016.

The final environmental impact report (EIR) has yet to be issued due, in part, to continuing changes by the applicant with regard to its proposed project work areas and to the applicant's request for additional time to submit comments on the draft EIR.. The final EIR will address the following issues in the proceeding:

- What are the significant adverse environmental impacts of the proposed project?
- Are there potentially feasible mitigation measures or project alternatives that will avoid or lessen the significant adverse environmental impacts?
- As between the proposed project and the project alternatives, which is environmentally superior?

The final EIR will address comments on the draft EIR, and may revise findings made in the draft EIR as a result of those comments. Thereafter, the presiding officer must take evidence and argument on the following issues in the proceeding:

- Are the mitigation measures or project alternatives infeasible?
- To the extent that the proposed project and/or project alternatives result in significant and unavoidable adverse environmental impacts, are there overriding considerations that nevertheless merit Commission approval of the proposed project or project alternative?
- Was the EIR completed in compliance with California Environmental Quality Act, did the Commission review and consider the EIR prior to approving the project or a project alternative, and does the EIR reflect our independent judgment?
- Is the proposed project and/or project alternative designed in compliance with the Commission's policies governing the mitigation of EMF effects using low-cost and no-cost measures?
- Does the project design comport with Commission rules and regulations and other applicable standards governing safe and reliable operations?

The Commission therefore requires additional time to allow for the issuance of the final EIR, to take evidence and argument on these issues, to

prepare a proposed decision and to circulate it for public review and comment before it may resolve the proceeding.

2. Waiver of Comments on Proposed Decision

Under Rule 14.6(c)(4) of the Commission's Rules of Practice and Procedure, the Commission may reduce or waive the period for public review and comment of decisions extending the deadline for resolving ratesetting proceedings. We waive the period for public review and comment pursuant to this rule.

3. Assignment of Proceeding

Michael Picker is the assigned Commissioner and Hallie Yacknin is the assigned Administrative Law Judge and presiding officer in this proceeding.

Finding of Fact

The Commission requires additional time beyond the February 24, 2016, statutory deadline for deliberating this matter.

Conclusions of Law

1. The statutory deadline, as authorized by Decision 11-03-012 pursuant to Public Utilities Code § 1701.5, should be extended by an additional 60 days to May 24, 2016.

2. The comment period should be waived pursuant to Rule 14.6(c)(4).

IT IS SO ORDERED.

This order is effective today.